

**STAMFORD PLANNING BOARD
REGULAR MEETING
DRAFT MINUTES - TUESDAY, JUNE 14, 2016
LAND USE BUREAU, 7TH FLOOR
GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT**

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jennifer Godzeno; Jay Tepper, Vice Chair and Michael Totilo. Alternate: William Levin. Absent: Claire Fishman, Secretary. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner.

Ms. Dell, Chair, called the meeting to order at 6:30 p.m. and introduced the members of the Board.

REQUEST FOR AUTHORIZATION:

PROTOTYPE LEASE - LATHON WIDER CENTER TENANCIES: Approval of a prototype lease for tenants at the Lathon Wider Center, pursuant to the requirements set forth in Section 9-7C(2) of the Code of Ordinances. After a brief discussion, Mr. Totilo recommended approval of the prototype lease for the Lathon Wider Center; and this request is consistent with the 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

REQUEST FOR EXTENSION OF TIME:

1. **SUBDIVISION APPLICATION #3962 - RUTH E. & LAWRENCE A. SCHMIDT - 1502 HOPE STREET:** The request is for an extension of time until August 17, 2020 (4 years total) as that is the maximum amount of time allowed under CGS Sec. 8-26c(e). After a brief discussion, Mr. Tepper recommended approval the Extension of Time on Subdivision #3962 until August 17, 2020; and this request is consistent with the 2015 Master Plan; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).
2. **SUBDIVISION APPLICATION #3933 - GUISEPPE LARIA - 114 POND ROAD:** The request is for an extension of time until July 11, 2020 (4 years total) as that is the maximum amount of time allowed under CGS Sec. 8-26c(e). After a brief discussion, Mr. Totilo recommended approval the Extension of Time on Subdivision #3933 until July 11, 2020; and this request is consistent with the 2015 Master Plan; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS - SPECIAL EXCEPTIONS:

1. **ZBA APPLICATION #049-16 - ASSOCIATED PROPERTIES, LLC - 614 SHIPPAN AVENUE & 0 INGALL STREET - Variance Requests & Special Exception:** This is a 38,340 sq. ft. commercial building which is currently vacant. The applicant would like to operate a "School, Non-public," which would be a special education day school for students in Grades 2-12 who have been diagnosed with ASD, Non-verbal Learning Disabilities (NVLD) and/or ADHD. It is planned for the school to occupy the entire building and would be designed to accommodate up to 100 students.

William Hennessey, of Carmody Torrance Sandak & Hennessey, made a presentation regarding this Special Exception and Zoning variances that the applicant for a special education day school has applied to the Zoning Board of Appeals. At last week's meeting on June 7, 2016 the Planning Board was presented with the details of this application as part of a Text Change application to the Zoning Board. If the Zoning Board approves this Text Change at its Public Hearing on July 11, 2016 the variance required will be moot. However, the Zoning Board Code Appendix A, Table I requires that any school non-public use requires a Special Exception from the Zoning Board of Appeals in commercial neighborhood zones. For the Special Exception to be granted, it requires that the applicant must meet five criteria outlined in Section 19.3.2 of the Zoning Code. These include location, size & scale, nature & intensity of proposed use, proposed traffic patterns, nature of surrounding area and consistency with the Master Plan.

Staff Discussion: This 47-year-old building is located on Shippan Avenue with medium density multifamily development (R-5) to the south and a high density housing development (R-H) directly across Shippan Avenue. From a planning perspective, a school for special education needs with a high teacher/student ratio which limits the number of possible of students is one of the most passive uses that this building could be used for. If the Zoning Board does not approve the Text Change by the July 13, 2016 Zoning Board of Appeals meeting, then the variance required of Section 12.B.1 and Section 12.D.3 should be approved by the Zoning Board of Appeals. This proposed school is located in Master Plan Category 14 (Open Space - Public Parks) which calls for the protection of lands dedicated to public parks, recreation and passive open space uses. After some discussion, Mr. Tepper recommend approval of ZBA Application #049-16 and that it is consistent with Master Plan Category #14 (Open Space - Public Parks) in protecting parks and open space on properties to the east and west; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

2. ZBA APPLICATION #047-16 - AHUJA HOLDINGS, LLC - 831 & 833 HIGH RIDGE ROAD - Special Exception: Applicant is seeking a Special Exception under Section 19-3 of the Zoning Regulations in order to build a 7,000 sq. ft. building to establish a medical clinic.

Mr. Nicholas Ahuja presented to the Board this new application seeking a Special Exception under Section 19-3 of the Zoning Regulations in order to build a 7,000 sq. ft. building to establish a medical clinic. Mr. Ahuja has worked with staff to revise the proposed development to better address the elements of Special Exception Review Criterion since the previous application went before the ZBA last fall. Specifically the applicant:

1. Lowered the size and scale of the building to 7,000 sq. ft.
2. Eliminated the ingress on Donata Lane.
3. Lowered the requested number of parking spaces from 35 to 25 spaces.
4. Increased the landscaping for the whole property with specific emphasis on added landscaped screening and fencing on Donata Lane.
5. Redesigned the building to better conform to the architecture found in the neighborhood.
6. Agreed to contribute (a) paying a fair share (\$150,000.00) for a signalization on High Ridge Road and Bradley Place; (b) install sidewalks along the eastern curb between Donata Lane and Tally Ho Lane at their cost and that they comply with the City Engineering Bureau's standards, and (c) post a surety bond with the City for the sidewalks, landscaping, and signalization.
7. Agreed to exclude both day surgery and drug rehabilitation center as uses for this medical office building.

After considerable discussion, Mr. Tepper recommend approval of ZBA Application #047-16 as this revised application adheres more closely with the Special Exception criteria of Section 19.3; also with the suggestion that if approved, no more than ten (10) exam rooms be allowed; and that it is consistent with Master Plan Category #2 (Residential - Low Density Single Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #215-40 - ATLANTIC GARDENS - Text Amendment:** In January 2016, this application was submitted to the Planning Board for referral. At that time, the Board requested additional information to aid in its assessment of the application, which is now being presented. The proposed text amendment would allow some 1.74 ± acres fronting along the Urban Transitway (the "Properties") to apply for Transportation Center Design District (TCDD) designation. A Staff Report in response to the application inquired how a hypothetical development made possible by the proposed text amendment would meet the five (5) stated objectives of the TCDD Regulations.

William Hennessey made a presentation to the Planning Board outlining the revisions that have been made to this application from when the Board was presented a preliminary plan on January 19, 2016. Among the new changes are adding ½ acre from the original request to one (1) acre per lot and clarifies Article III, Section 5.A Zoning Code under floor-area ratio requirements and developing in Category #9 (Urban Mixed-Use) residential density shall not exceed such density as permitted in the Master Plan. After a brief discussion, Mr. Levin recommend approval of ZB Application #215-40 and that it is consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

2. **ZB APPLICATION #216-17 - 484 PACIFIC STREET, LLC - 484 PACIFIC STREET - Requesting Approval of Special Exception, Final Site & Architectural Plans and Coastal site Plan Review:** Requesting approval to construct a 4½ story, 4,670 sq. ft. addition to an existing historic building. Bonuses requested pursuant to Section 7.3 include increased office FAR, increased building height and reduced parking.

William Hennessey and Mark Goodwin, with Beinfield Architects, made a presentation outlining this Special Exception and Final Site plan application. Applicant is requesting approval to construct a 4,670 sq. ft. addition to an existing historic building with increased floor area ratio by increasing building height and reducing parking. Mr. Levin and Mr. Tepper questions whether the applicant had gone before HPAC for its recommendation on this historic building since the proposed addition to the building, when designed for the elevator, bathroom and stairways, is not designed to conform to the original design and materials of the original building. Mr. Goodwin explained that the reason the architecture of the proposed design does not tie into the same materials as the original building is to provide contrast to the original building as well as light and air. The Board spent some time discussing this element, with Mr. Levin and Mr. Tepper arguing that the Historic Preservation Advisory Commission (HPAC) recommends any appendage to this building should more closely match the original materials of the building. Dr. Woods stated that by trying to use similar materials and design of the original building on an historic building usually shows mixed results instead of the creative design which is being proposed. After further discussion, Mr. Tepper recommended approval of ZB Application #216-17 with the suggestion that the Zoning Board consider HPAC's referral relating to location, materials, and design of the elevator and stairway addition and that it is consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

Ms. Lisa Feinberg, with Carmody Torrance Sandak & Hennessey, made a brief presentation on ZB Application Nos. 216-24, 216-25 and 216-26 which are three interlinked applications. Ms. Feinberg outlined what is being proposed. As a reminder, the Planning Board approved Master Plan Amendment #423 on May 10, 2016. These three interrelated requests before the Planning Board include: (1) amending Article III, Section 9-I (Mill River District); (2) changing the zoning map designation from R5-CG to MRD-D; and (3) special exception approval of the proposed parking standard and shared parking arrangement. All of these applications relate to the redevelopment of the property with two residential buildings consisting of a total of 456 dwelling units and 567 parking spaces. Approval of these applications will also result in the dedication of 38,389 sq. ft. of property along the Mill River as public access space to facilitate the expansion of the park.

The applications pending before the Zoning Board also include the General Development Plan approval and Coastal Area Management site plan approval. Given the location of this site, the development of hundreds of residential dwelling units and the thoughtful design of the structured parking garages are desirable. Most significantly; however, the completion of this project will result in the expansion of the Riverwalk improvements and the use of the \$3.75 million Hurricane Sandy Relief Grant recently awarded to the City. It is of note that the Applicants have provided access to the Riverwalk on the north side of the

building on the river and access will also be available from Tresser Boulevard and Richmond Hill Avenue. These entrance locations provide building wall continuity while still ensuring convenient public access. Should this project be approved, Staff recommended that, if possible, the final building design also incorporate direct access to the Riverwalk for the residents of the building.

Staff recommended approval of all of the pending applications and confirmed that the project and accompanying zoning regulation and zoning map changes are consistent with the 2015 Master Plan Category #5 (Residential-High Density Multifamily).

3. **ZB APPLICATION #216-24 - RBS AMERICAS PROPERTY CORP. & THE CITY OF STAMFORD - 600 WASHINGTON BLVD. & 888 WASHINGTON BLVD. - Text Change:** To amend Subsection of Article III, Section 9-I (Mill River District). After a brief discussion, Mr. Tepper recommend approval of ZB Application #216-24 and that it is consistent with Master Plan Category #5 (Residential-High Density Multifamily); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).
4. **ZB APPLICATION #216-25 - RBS AMERICAS PROPERTY CORP. & THE CITY OF STAMFORD - 600 WASHINGTON BLVD. & 888 WASHINGTON BLVD. - Map Change:** Applicant proposes to change approximately 4.95 acres (including 0.35 acres of City rights-of-way) in Blocks 6 & 7. Currently zoned R-5/C-G. Proposed change to MRD-D. After a brief discussion, Ms. Godzeno recommend approval of ZB Application #216-25 and that it is consistent with Master Plan Category #5 (Residential-High Density Multifamily); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).
5. **ZB APPLICATION #216-26 - RBS AMERICAS PROPERTY CORP. & THE CITY OF STAMFORD - 0, 100, 102 CLINTON AVENUE; 29, 31, 37, 41 DIVISION STREET AND A PARCEL KNOWN AS N-1 ON MAP #13846 RECORDED IN THE STAMFORD LAND RECORDS (BLOCK A) AS WELL AS 75, 79, 99, 101, 107, 113 CLINTON AVENUE AND 0, 1, 4, 6, 10, 17, 19, 25 DIVISION STREET (BLOCK B) - Special Exception, General Development and Coastal Site Plan Review:** Applicant is requesting approval of Special Exception, General Development and Coastal Site Plan Review for the development of two (2) residential buildings consisting of 456 units and 567 parking spaces as well as associated site improvements. Also approximately 38,389 sq. ft. along the river will be dedicated as public access space to facilitate the expansion of Mill River Park. After a brief discussion, Mr. Totilo recommend approval of ZB Application #216-26 and that it is consistent with Master Plan Category #5 (Residential-High Density Multifamily); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).
6. **ZB APPLICATION #216-23 - RMS MAIN STREET, LLC - 900 WASHINGTON BLVD. - Special Exception:** The applicant is requesting a modification of Special Exception Application #214-29 to permit "Dormitory Housing" in addition to the previously approved multifamily residential use on property consisting of approximately 40,240 sq. ft. located on the southwest corner of Washington Boulevard and Main Street and now known as 900 Washington Boulevard. Lisa Feinberg made a presentation to modify Special Exception Application #214-29 to permit dormitory housing at 900 Washington Boulevard. Dr. Woods asked Mr. Hennessey with market rate housing proposed, if the BMR language has been finalized. Mr. Hennessey stated that details were still being worked out. After a brief discussion, Mr. Levin recommend approval of ZB Application #216-23 and that it is consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

Ms. Dell made a motion to add a Request for Authorization for Supplemental Capital Project #C56174 to the agenda. Mr. Tepper motioned to add this item to the agenda; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

Dr. Woods outlined that these funds in the amount of \$6,457.60 were provided by private contribution from the construction company to mitigate damages and provide a replacement of the traffic signal at the intersection of Washington Boulevard @ Main Street due to construction activity under Permit #RO-15-94 and an associated incident from February 25, 2016. As this work has already been completed, these funds will be returned to the Citywide Signals account. After a brief discussion, Ms. Godzeno recommended approval of Capital Project #C56174 and that it is consistent with the 2015 Master Plan; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

Meeting of 6/7/16: After a brief discussion, Ms. Godzeno moved to recommend approval of the Planning Board Minutes of June 7, 2016; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Tepper and Totilo). Mr. Levin was absent from the June 7th meeting so did not vote.

OLD BUSINESS:

NEW BUSINESS:

Ms. Dell pointed out that the packets for June 21st meeting were distributed and to please remember to bring them next week. Also, since there is no New Business to be presented on June 28, 2016 that meeting has been cancelled.

Next regularly scheduled Planning Board meetings are:
6/21/16

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:03 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and audio tape and are available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.